

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)	
Plaintiff,)	
)	
v.)	CASE NO. DNCW3:99CR13-1
)	(Financial Litigation Unit)
EDWARD LORENZO TOWNER, III,)	
Defendant,)	
)	
and)	
)	
THE GOODYEAR TIRE & RUBBER CO., INC.,)	
Garnishee.)	

ORDER OF CONTINUING GARNISHMENT

THIS MATTER is before the Court on the answer of the Goodyear Tire & Rubber Company, Inc., as Garnishee. On June 15, 2000, the Honorable Judge Richard L. Voorhees sentenced the defendant to 15 months of incarceration for his conviction of one count of Mail fraud and aiding and abetting the same in violation of 18 U.S.C. §1341 and four counts of Wire fraud and aiding and abetting the same in violation of 18 U.S.C. §1343 . Judgment in the criminal case was filed on July 13, 2000. As part of that Judgment, the defendant was ordered to pay an assessment of \$200.00 and restitution of \$182,326.04 to the victims of the crime. *Id.*

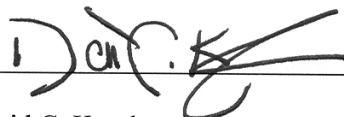
On December 22, 2010, the Court entered a Writ of Continuing Garnishment ("Writ") to Garnishee, the Goodyear Tire & Rubber Co., Inc., ("Garnishee"). The United States is entitled to a wage garnishment of up to 25% of net income and has satisfied the prerequisites set forth in 15 U.S.C. §1673. Defendant was served with the writ of garnishment on December 23, 2010, and Garnishee was served on December 23, 2010. Garnishee filed an Answer on January 18, 2011, stating that at the time of the service of the Writ, Garnishee had in their custody, control or possession property or funds owned by the debtor, including non-exempt, disposable earnings.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$147,500.56 computed through October 26, 2010. Garnishee will pay the United States up to 25% of Defendant's net earnings which remain after all deductions required by law have been withheld and 100% of all 1099 payments, and Garnishee will continue said payments until the debt to the plaintiff is paid in full or until Garnishee no longer has custody, possession or control of any property belonging to Defendant or until further Order of this court.

Payments should be made payable to the United States Clerk of Court and mailed to the Clerk of the United States District Court, 401 West Trade Street, Charlotte, NC 28202. In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW3:99CR13-1.

The plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the defendant would normally receive may be offset and applied to this debt.

Signed: May 13, 2011



David C. Keesler
United States Magistrate Judge

